



"I will stand for my client's rights.
I am a trial lawyer."
—Ron Motley (1944–2013)

USDC SDNY
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March 15, 2021

The Honorable Sarah Netburn, U.S. Magistrate Judge
United States District Court for the S.D.N.Y.
Thurgood Marshall U.S. Courthouse, Room 430
40 Foley Square
New York, NY 10007

Re: *In Re: Terrorist Attacks on September 11, 2001, 03 MDL 1570 (GBD)(SN)*
This Document Relates to:
Burnett, et al. v. Al Baraka Inv. & Dev. Corp., et al., No. 03-cv-9849 (GBD)(SN)
Plaintiff Michael Cioffi only

Dear Judge Netburn:

Motley Rice LLC, counsel for the plaintiffs in the *Burnett* action, which has included plaintiff Michael Cioffi, write in response to the Court's order at ECF No. 6658, directing us to (1) notify the Court whether Motley Rice LLC intends to assert a lien over the matter, and (2) either consent to the substitution by signing the relevant form or inform the Court of the basis for Motley Rice LLC's refusal to do so.

As to item 1, Motley Rice LLC will not assert a lien on this file. We do so while reserving our rights to assert a lien in any other instance where the issue of substitution of counsel may arise in the context of a plaintiff currently in *Burnett*.

As to item 2, Motley Rice LLC consents to the substitution of counsel. We include with this letter a signed copy of the consent form that accompanied Mr. Giaramita's correspondence, at ECF No 892 (page 4 of 6) on the docket of 1:03-cv-09848-GBD-SN. However, we request that the Court separate the case of this plaintiff, Michael Cioffi, from the remainder of the *Burnett* action to clarify on the docket that actions taken by *Burnett* counsel (Motley Rice LLC) for plaintiffs in the *Burnett* action are not taken on behalf of Mr. Cioffi.

Respectfully submitted,

MOTLEY RICE LLC

By: /s/ Robert T. Haefele
ROBERT T. HAEFELE

cc: All MDL Counsel of Record (via ECF)
Joseph Giaramita, Esq., 8215 Fifth Ave., Brooklyn, New York 11209
Enclosure

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001

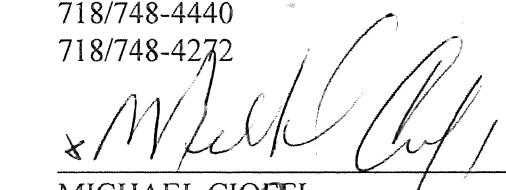
03 MDL 1570 (GBD)(SN)
ECF Case

CONSENT ORDER GRANTING SUBSTITUTION OF ATTORNEY

Notice is hereby given that, subject to approval by the Court, Michael Cioffi, substitutes Joseph Giaramita, Esq., 8215 Fifth Avenue, Brooklyn, New York 11209 as counsel of record in place.

Contact information for new counsel is as follows:

JOSEPH GIARAMITA, ESQ.
8215 Fifth Avenue
Brooklyn, New York 11209
718/748-4440
718/748-4272


MICHAEL CIOFFI

I consent to the above substitution.

Date: July 20, 2020

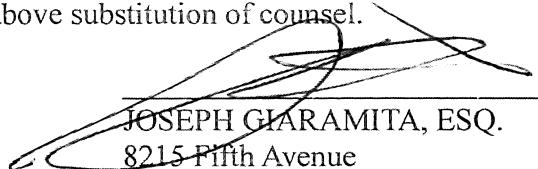
I consent to being substituted.

Date: Mar 15, 2021

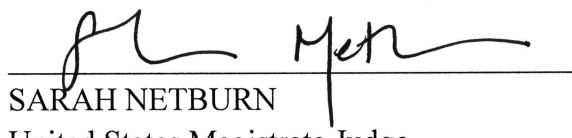

MOTLEY, RICE
28 Bridgeside, Blvd.
Mount Pleasant, SC 29464

I, Joseph Giaramita, Esq., hereby consent to the above substitution of counsel.

Date: July , 2020


JOSEPH GIARAMITA, ESQ.
8215 Fifth Avenue
Brooklyn, New York 11209
Tel: 718/748-4440
Fax: 718/748-4272
Email: nytriallawyer@aol.com

The substitution of counsel is GRANTED. Former counsel's request to separate Plaintiff Michael Cioffi from the case is denied. Because the docket will reflect that Joseph Giaramita represents Michael Cioffi, there is no need to separate Mr. Cioffi's case from the Burnett Plaintiffs who will remain represented by Motley, Rice.
SO ORDERED.


SARAH NETBURN
United States Magistrate Judge

Dated: March 31, 2021
New York, New York